

J. Russell Stedman (117130)
Kathleen E. Dyer (227216)
BARGER & WOLEN LLP
650 California Street, 9th Floor
San Francisco, California 94108
Telephone: (415) 434-2800
Facsimile: (415) 434-2533

Attorneys for Defendant
METROPOLITAN LIFE INSURANCE
COMPANY and SOLVAY AMERICA, INC.
EMPLOYEE WELFARE PLAN

Frank N. Darras (128904)
Michael B. Horrow (162917)
SHERNOFF BIDART & DARRAS, LLP
600 South Indian Hill Boulevard
Claremont, CA 91711
Telephone: (909) 621-4935
Facsimile: (909) 625-6915

Attorneys for Plaintiff
JEFFREY G. KING

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

JEFFREY G. KING)	CASE NO.: C 05 1587 SI
)	
Plaintiff,)	STIPULATION AND [PROPOSED]
)	ORDER CONTINUING CASE
vs.)	MANAGEMENT CONFERENCE
)	
METROPOLITAN LIFE INSURANCE)	Case Management Conference Date: 10/14/05
COMPANY; SOLVAY AMERICA, INC.)	
EMPLOYEE WELFARE PLAN,)	
)	
Defendants.)	

Plaintiff Jeffrey G. King ("Plaintiff"), together with Defendants Metropolitan Life Insurance Company and Solvay America, Inc. Employee Welfare Plan (collectively "Defendants"), by and through their counsel of record, hereby stipulate to the following:

- The parties wish to work toward resolution of the above-captioned matter through private mediation. A private mediation for this matter has been set for November 9, 2005 at 9:00 a.m. with mediator John B. Bates, Jr. Esq. of JAMS.

2. The parties had anticipated participating in the private mediation of this matter in September 2005. Based on the anticipated September 2005 mediation date the Court continued the Case Management Conference for this matter to October 14, 2005 to occur after the private mediation. However, due to conflicts with Mr. Bates' schedule and the schedules of all parties and their counsel of record, the private mediation will not occur until November 9, 2005.
3. The parties wish to pursue private mediation before participating in the active litigation of this matter.
4. Pending the Court's approval, the parties agree to continue the Case Management Conference for the above-captioned matter to occur after the private mediation. The parties agree to continue the initial Case Management Conference currently set for October 14, 2005 at 2:00 p.m. to December 2, 2005 at 2:00 p.m., or alternatively, to a date and time after November 9, 2005 that is convenient for the Court. The parties will inform the Court if this matter is resolved through private mediation before the initial Case Management Conference occurs.

IT IS SO STIPULATED.

Dated: September 20, 2005

BARGER & WOLEN LLP

By: /s/ Kathleen E. Dyer
 J. Russell Stedman
 Kathleen E. Dyer
 Attorneys for Defendant
 METROPOLITAN LIFE INSURANCE
 COMPANY and SOLVAY AMERICA,
 INC. EMPLOYEE WELFARE PLAN

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1 Dated: September 28, 2005

SHERNOFF BIDART & DARRAS, LLP

By: 

Frank N. Darras
Michael B. Horrow
Attorneys for Plaintiff
JEFFREY G. KING

7 The initial Case Management Conference for the above-captioned matter is hereby
8 continued to Dec. 2, 2005 at 2:00 a.m./p.m. The joint Case Management Statement
9 shall be filed on or before Nov. 23, 2005.

10 **IT IS SO ORDERED.**

11 Dated: _____

HONORABLE SUSAN ILLSTON
UNITED STATES DISTRICT JUDGE

